Is it the pleasure of the House that permission be granted to Shri Shivajirao Giridhar Patil for remaining absent from the remaining part of the current Session?

(*No hon. Member dessented*)

THE DEPUTY CHAIRMAN: Permission to remain absent is granted to Shri Patil, wishing him to get well soon and attend the House.

RE. ESCAPE OF LTTE MILITANTS FROM MADRAS JAIL

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): Madam, I rise to speak on an important issue... (*Interruptions*)... Madam, I want to raise an important issue first... (*Interruptions*).44 I have to draw the attention of the House to an important issue... (*Interruptions*)...

श्री सोमपाल (उत्तर प्रदेश) : मैडम डिप्टी चेयरमैन, टाइम्स आफ इंडिया में ...**(व्यवधान)**

THE DEPUTY CHAIRMAN: I will permit you. Please sit down

श्री सोमपाल : "टाइम्स आफ इंडिया" में एक समाचार निकला है कि सी0बी0 आई0 द्वारा टलीफोन टप हो रहे हैं... **(व्यवधान)**...

श्री मोहम्मद अफजल उर्फ मीम अफजल (उत्तर प्रदेश) : आई०बी० के द्वारा टेलीफोन टप हो रहे हैं... **(व्यवधान)**... यह कैसी डिक्टेटरशिप है यहां पर ? ...**(व्यवधान)**...

उपसभापति : सोमपाल जी, आपका नाम है...**(व्यवधान)**...आपका नाम लिखा है, मैं आपको बुलाऊंगी ।

†[] Transliteration in Arabic Script.

I will permit you... (*Interruptions*)... I will call you. I have your name. I will permit you... (*Interruptions*)... Mr. Sompal, your name is there. I will permit you.... (*Interruptions*) .....

SHRI VIREN J. SHAH (Maharashtra): It is a very ssrious issue, Madam... (*Interruptions*)...

SHRIMATI JAYANTHI NATARAJAN: I have also a very serious matter. We have been waiting for the last one week to raise it... (*Interruptions*)...

SHRI MOHAMMED AFZAL alias MEEM AFZAL: We have also a serious matter.

SHRIMATI JAYANTHI NATARAJAN: I am not saying that yours is not serious... (Interruptions)... Madam, I am not saying that his matter has not been serious. I have been waiting for five days. Thanks to them, I have not been able to raise it till now! My name has been there for five days.. (*Interruptions*)...M

SHRI SOM PAL: Madam, please permit me after she finishes.

SHRIMATI JAYANTHI NATARAJAN: Madam, I want to draw the attention of the House to a very serious matter that occurred on the 27th of February in Madras. Nine LTTE militants were lodged in the Central Jail. Madam, first of all, even before I tell the House what happened, I like to mention that the Central Jail is located in the heart of Madras city, next to the railway station in a very dangerous place, surrounded by people. It is a densely populated area. Madam, nine LTTE militants escaped from the Jail. It was like a film scene. Their terrace was left unlocked. They walked out of their cells. They made a rope out of the bedsheets and jumped over the wall and escaped. One of them committel suicide and one jumped into the Coovum river and later died in the hospital. The

other five have not yet been apprehended. The question is, this is the eighth or the ninth jailbreak since 1991. after Mr. Rajiv Gandhi's assassination. Madam, more than 40-45 LTTE militants have been allowed by the State Government to escape. One of them, who escaped in this particular instance, the ninth as I have mentioned just now, is a cousin of Mr. Prabhakaran, the Chief of the LTTE, a key witness in the Rajiv Gandhi's assassination. The other key witnesses in the Rajiv Gandhi's assessination have also been allowed to escape as early as 1992. Madam, one is Charles *alias* Niwaz. Madam, the question now is, the State Government has done nothing. They suspended only two or three officers. None of the people have been apprehnded... (*Interruptions*)...

SHRI G. SWAMINATHAN (Tamil Nadu): Madam, I am sorry, this is a matter relating to the State.

THE DEPUTY CHAIRMAN: Chairman Sahib has permitted it.

(*Interruptions*)

SHRI V. NARAYANASAMY (Pondicherry): The Chairman has permitted her to raise it...(*Interruptions*)...

SHRIMATI JAYANTHI NATARAJAN: Madam, please give your ruling on this... (*Interruptions*)... Madam, please give your ruling. This is a serious matter. I have been permitted by the Chairman. I do not want to be interrupted...(*Interruptions*)... This is a very serious matter. .. (*Interruptions*)...

SHRI V. NARAYANASAMY: Why are you interrupting her? She is perimitted by the Chairman.

SHRI MOHAMMED AFZAL *alias* MEEM AFZAL (Uttar Pradesh): He is doing his duty. It is a matter concerning the State.

(*Interruptions*)

SHRIMATI JAYANTHI NATARAJAN: Madam, the SIT authorities, the investigating authorities are apprehending that there will be an attack by the militants..(*interruptions*).. Madam, SIT has been apprehending that there would be an attack by these militants on the Jail in Poonamallee where the main accused in the Rajiv Gandhi case has been lodged. There will be an attack on the Jail. Those who are accused will be allowed to escape. The State Government has told out to the militants...(*Interruptions*)... Madam, in a shocking development, as early as last year, the Chief Minister went to the extent of acfusing the RAW of going to the LTTE and conspiring with them in order to eliminate her. Madam, she went to that extent. (*Interruptions*)... Madam, one of the escaped detenus whose name is Victor, filed a writ petition in the High Court.(*Interruptions*)...

SHRI G. SWAMINATHAN: The Tamil Nadu Govrnment has done everything (*Interruptions*)...

SHRIMATI JAYANTHI NATARAJAN: Madam, we are talking about a detenue who is not allowed to esape, who has filed a writ petition in the High Court where he says that the Central Government and the RAW are trying to tarnish the image of the Chief Minister. (*Interruptions*)... That is why the detenus have been kidnapped by the RAW authorities. The State High Court dismissed that writ petition. Therefore, my humble submission is that the SIT authorities, the Special Investigating Team, seriously apprehend that the escaped militants will launch an attalk on the jail at Poondamalli where the accused in the Rajiv Gandhi assassination case are being held, where the trials of the accused are being held, and they may be permitted to escape because more than 40 or 45 people have already escaped. If this happens, Madam, nothing could be a greater shame or blot on the face of this nation than allowing the aceased in Rajiv Gandhi assassination case to escape. Nothing could be a greater blot. Forty to forty-five militants have been allowed to escape over the last two years. Nineteen militants have escaped from the Central Jail Madam nineteen militants have escaped from the Vellur jail Not one of them has been found. Five Militants escaped from the Salem Jail Not one of them has been found. Five

militants an away and the police found them. Then suddenly they were missing. We don't know what happens in Nagapattinum. (*Interruptions*)...

THE DEPUTY CHAIRMAN: Let her finish.

SHRIMATI JAYANTHI NATARAJAN: Not one of these militants is ever apprehended. Not one of these militants is ever convicted. (*Interruptions*)... Just one minute, Madam. I will finish. Last time, before this jail break, when the Chief Minister went to the Chief Minister went to the startling extent of accusing the Central Government of conspiring with the LTTE, at that time a writ was filed in the High Court by one of the detenus also. At that time, the SIT authorities and the State police went into a conflict because the SIT felt that the State police was hand in glove with the militants and allowed them to escape. Madam, we have no faith in the State Government. (*Interruptions*)... We feel that the State Government is hand in glove with the LTTE and they will allow these accused also to escape. One of those who have already escaped is Prabhakaran's own cousin. Nobody has been apprehended yet. All that the Chief Minister has done is to reward the police officials by promoting them. Therefore, my demand is that the Central Government should take this over; otherwise, we will ot get justice for Rajiv Gandhi, who died tn such shocking and tragic circumstances. Let there be a CBI inquiry. Let the Central Government take over the keeping of these LTTE detenus as the State Government is no longer capable of protecting the interests of the nation over there. Thank you.

SHRI G. SWAMINATHAN: A judicial inquiry has already been orderd. (*Interruptions*)...

THE DEPUTY CHAIRMAN: No. Mr. Pachouri I have three names. (*Interruptions*)...

SHRI G. SWAMINATHAN: Madam, this is a matter *sub judice*. (*Interruptions*)...

SYED SIBTEY RAZI (Uttar Pradesh): Madam, this is not a matter of the State Government alone. This is a matter of national importance. (*Interruptions*)...

THE DEPUTY CHAIRMAN: One minute, please. (*Interruptions*)... One minute, please.

SHRI G. SWAMINATHAN: How can this matter be raised here? It is a State matter. (*Interruptions*)...

THE DEPUTY CHAIRMAN: Please one minute. (*Interruptions*)... Mr. Swaminathan, will you please take your seat? The Chairman has permitted it. When Mr. Chairman permits, you see, a Member can speak and we have discussed the maner of terrorists in this House. We are a Council of States. I can understand the difference between the State matters and the Cestral matters and that is how we are always protected. But in this matter as the question of Mr. Rajiv Gandhi's assassination, which was a serious issue, which was discussed in this House—I think you were a Member in this House—was involved, the escape of terrorists from the jail is a serious matter. That is why the Chairman has permitted it. I know your objections are there. It must have been discussed in the State Assembly. Good. (*Interruptions*)... It is the right place. But it doesa't debar... (*Interruptions*)...

SHRI TINDIVANAM G. VENKATRAMAN (Tamil Nadu): Madam,...

THE DEPUTY CHAIRMAN: Mr. Venkatraman, will you please keep quiet for one minute? (*Interruptions*)...

SHRI V. NARAYANASAMY: Madam,

THE DEPUTY CHAIRMAN: Mr. Narayanasamy, just one minute. You have your time. I will permit you. Just because this was discussed in the State Assembly, it doesn't debar a Member from raising an issue of national importance of that magnitude. The Chairman has permitted three people to associate themselves with it. I only request the other two Members not to elaborate because already Shrimati Jayanthi Natarajan has done it quite a bit. So, you just associate yourself with this issue.

श्री सुरेश पचौरी (मध्य प्रदेश) : महोदया, इससे पूर्व भी इस माननीय सदन में श्री राजीव गांधी जी की हत्या के मामले में विशेष जांच दल द्वारा जो प्रमुख अभियुक्त शण्मुगम थे, उनका हिरासत से भाग जाना और उसके बाद मृत्यु हो जाना, के बारे में हमने इस सदन में बड़ी गंभीरता से चर्चा की थी और उस समय... (व्यवधान)...

SHRI G. SWAMINATHAN: Madam, I stand on a point of order.

THE DEPUTY CHAIRMAN: What is your point of order?

SHRI G. SWAMINATHAN: The State Government has already ordered a judicial inquiry. The matter is already being considered by the judicial inquiry. So, it is a *sub judice* matter. (*Interruptions*).

THE DEPUTY CHAIRMAN: If the matter is in court then, it becomes *sub judice*. If it is only an inquiry, it does not become *sub judice*. When it goes... (*Interruptions*).

श्री सुरेश पचौरी : महोदया, केन्द्रीय जांच ब्यूरो द्वारा जांच करने के लिए तमिलनाडु सरकार की सहमति से एस० आई०टी० का गठन हुआ है । ये सब-ज्यूडिस नहीं है ।

THE DEPUTY CHAIRMAN: Shrimati Alva, is it in the Court?

THE MINISTER OF STATE IN THE MINISTRY OF PERNONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI MARGARET ALVA): No. (*Interruptions*).

THE DEPUTY CHAIRMAN: Just a minute. (*Interruptions*).

SHRIMATI MARGARET ALVA: I am not talking about that. I am just saying that the matter is going on in a specially designated Court. (*Interruptions*). Madam, I am not talking about the escape. I am taking of... (*Interruptions*)... the specially designated Court at Pune. mali. (*Interruptions*).

SHRIMATI JAYANTHI NATARAJAN) The SIT apprehend...

श्री सुरेश पचौरी : महोदया, मेरे पास वक्तव्य है गृह मंत्री का, पहले भी इस सदन में इस पर चर्चा हुई है ।

SHRI G. SWAMINATHAN: Madam, it is a very sensitive matter. (*Interruptions*).

SHRIMATI JAYANTHI NATARAJAN: Madam, the SIT is worried. (*Interruptions*). The SIT is looking into the Rajiv Gandhi assessination case because these LTTE militants were helped to escape. (*Interruptions*).

THE DEPUTY CHAIRMAN: Please sit down. (*Interruptions*). It is not going on record. Nothing is going on record. (*Interruptions*).

SHRI G. SWAMINATHAN: *

SHRIMATI JAYANTHI NATARAJAN: *

SHRI V. NARAYANASAMY: *

SHRI S. VIDUTHALAI VIRUMBI: *

THE DEPUTY CHAIRMAN: I am not allowing anything to go on record (*Interruptions*). Please sit down. Take

*Not recorded.

y(our seat. (*Interruptions*). Please take your seat. Please take your seat. I said please take your seat. (*Interruptions*). Mr. Virumbi, please take your seat. (*Interruptions*).

SHRI S. VIDUTHALAI VIRUMBI: *

THE DEPUTY CHAIRMAN: Please take your seat. I said very clearly... (*Interruptions*). One minute. I don't want you to start cross-talking. If you want to talk, please go into the Lobby and discuss it and come back wtth a solution. If you want to discuss it here, you must address the Chair. We have constraint of time. The Chairman has permitted and I am permitting it. I again request the Members to confine themselves only to the issue which Shrimati Jayanthi Natarajan has raised. I would not like you to go back into the whole history of it. Please confine yourself to the subject which is permitted.

श्री सुरेश पचौरी : महोदया, माननीय सदस्या ने मद्रास जेल से जो लिट्टे से सम्बद्ध अभियुक्त रहे हैं, उनके भाग जाने का जो जिक्र किया है, वह अत्यंत गंभीर है लेकिन केवल जेल से भागने वाला प्रकरण नहीं है बल्कि इसके साथ जो गंभीर बात जुड़ी हुई है, जिसकी तरफ मैं आपके माध्यम से सरकार का ध्यान आकर्षित करना चाहता हूं, वह राजीव गांधी हत्याकांड से जुड़ा हुआ जो विशेष जांच दल है, उसकी प्रक्रिया है ।

महोदया, मैं आपके माध्यम से यह कहना चाह रहा था कि पिछले समय जब हिरासत से प्रमुख अभियुक्त शण्मुगम 19-7-91 को जेल से भाग गया और 20-7-91 को उसका शव पाया गया, उस समय भी हमने इस सदन में जिक्र किया था और अब भी हम आपके माध्यम से यहां आपका ध्यान आकर्षित करना चाहते हैं कि इस तरीके से लिट्टे के लोगों के जेल से भागने पर जो एस०आई०टी० जांच दल बड़ी गंभीरता से, बड़ी संजीदगी से और बड़ी सफलतापूर्वक जांच कर रहा है, निश्चित रूप से उस पर भय और आतंक का वातावरण निर्मित होगा । और जो हमारे जांच दल के अधिकारी हैं, जो हमारे गवाह हैं आतंकित होंगे क्योंकि महोदया, अभी तक 94 गवाह एस०आई०टी० द्वारा सफलतापूर्वक पूर्ण हो चुके हैं--तो हमारे जो गवाह हैं, जो राजीव गांधी जी के हत्याकांड से जुड़े हुए हैं, उन पर भय और आतंक का वातावरण निर्मित होगा । इसलिए मैं आपके माध्यम से सरकार से आग्रह करना चाहता हूं कि जो लिट्टे से संबद्ध लोग जेल में गिरफ्तार हैं, उनके ऊपर पूर्ण चौकसी किया जाना आवश्यक है । आखिर क्या कारण है कि राज्य सरकार के मद्रास जेल से ये लोग भाग रहे हैं ? कहा तो यहां तक गया है कि मद्रास जेल के दरवाजों पर जंग लग गया है और जेल के अधिकारियों की सांठगांठ से ये लोग भाग रहे हैं और बाहर जो पुन्नामल्ली में बहुत सैक्योरिटी के साथ स्पेशल काम्पलैक्स बना हुआ है और एस०आई०टी० का जांच दल जो जांच कर रहा है, उस पर डायरेक्टली या इनडायरेक्टली भय का वातावरण स्थापित करने के लिए यह सब किया जा रहा है । इससे यह जांच भी प्रभावित होगी । इसलिए मेरा आपके माध्यम से सरकार से आग्रह है कि केन्द्रीय सरकार इसमें व्यक्तिगत दिलचस्पी ले और देखे कि लिट्टे से संबंधित जो लोग जेल में गिरफ्तार हैं और पुन्नामल्ली में जो जांच चल रही है, उनको पर्याप्त सुरक्षा मिले और जो लिट्टे से संबंधित लोग हैं, वह जेल से न भाग पाएं । जो गवाह एस०आई०टी० के सामने गवाही दे रहे हैं, उनकी सुरक्षा हो और एस०आई०टी० का जांच दल निर्भीकता से कार्य कर सके ताकि समय के अंदर, बल्कि इस साल के अंदर ही एस०आई०टी० अपनी जांच पूरी करके अभियुक्तों को सजा दे सकें ।

श्री एस०एस० सुरजेवाला (हरियाणा) : महोदया, यह जो मेरे भाई ने प्रश्न उठाया है, यह बहुत गंभीर और महत्वपूर्ण विषय है और मेरी आपसे दरख्वास्त है कि आप सरकार को खास तौर पर कहें कि इस बारे में कोई ढिलाई न करे ।

* Not recorded.

THE DEPUTY CHAIRMAN: Mr. Narayanasamy, your name is there. But please confine yourselves to this subject.

SHRI V. NARAYANASAMY (Pondicherry): Madam, the TADA detenues, about nine persons, escaped from the jail.

THE DEPUTY CHAIRMAN: TADA detenues.

SHRI V. NARAYANASAMY: They are TADA detenues. They escaped from the Madras Central Jail which is in the heart of the city. Madam, earlier, there were more than eight jail breaks by the LTTE militants. The people who escaped are the LTTE militants. The people who are escaping from the jail in Madras are only the LTTE militants. No other persons are escaping. The reason being after the assassination of our leader Shri Rajiv Gandhi, the trial is going on in the designated court and while the trial is progressing, the LTTE militants are trying to scuttle the case. For that purpose they are trying to come out of the jail. They are eliminating the witnesses. The LTTE militants are escalating thir activities. Unfortunately, the Tamil Nadu Government has compromited its position... (*Interruptions*).

SHRI G. SWAMINATHAN: I am sorry, Madam. We have been very opposing the LTTE. Unnecessarily, he is accusing us... (*Interruptions*)... We have already caught a two people..... (*Interruptions*)... Two people were cought and two people have died... (*Interruptions*)...

SHRI V. NARAYANASAMY: There were nine jail breaks. Two people died and five people escaped... (*Interruptions*)...

THE DEPUTY CHAIRMAN: Mr. Swaminathan, if the matter was not serious, the Chairman would not have given permission. If there are nine jail breaks and they all run away, the matter is serious... (*Interruptions*)..

SHRI V. NARAYANASAMY: All are LTTE militants... (*Interruptions*)...

SHRI G. SWAMINATHAN: It was not during our period. It was during the President's rule... (*Interruptions*).. It was during the Congress rule also when Shri Bhishma Narain Singh was there... (*Interruptions*)...

SHRI V. NARAYANASAMY: Madam, in the Madras Central Jail, the LTTE militants had a free run. They were not lodged in rooms. Narcotics used to be sent inside the jail. Robes were sent inside the jail. Food from outside, was sent inside the jail with the connivance of the jailer and some political activists of the AIADMK... (*Interruptions*)...

THE DEPUTY CHAIRMAN: No, no. Mr. Narayanasamy, do not bring in political parties. You cannot substantiate... (*Interruptions*)... A matter which you cannot substantiate that some persons belonged to a certain political party or that they are members of some political party, should not be mentioned... (*Interruptions*)... You cannot say that they are activists of the area... (*Interruptions*).

SHRI V. NARAYANASAMY: I don't know whether anybody can deny that the LTTE people are the leaders of the jails in Tamil Nadu. The officials of the jails are ineffective. They have been bribed by the LTTE militants. That is now they escaped from the jail. I would like to know whether there exists any Government in Tamil Nadu. I ask this question for the simple reason that people who are TADA detenus could escape from the jail. The Tamil Nadu Government has become a lawless State. Therefore, I would like to know if the Central Government would order an enquiry into the matter.

SHRI SOM PAL (Uttar Pradesh): It is up to the Central Government to dismiss the State Government. You are

accepting that the Tamil Nadu Government is supporting the LTTE. Then you don't accuse that there is no Government! You appeal to the Central Government... (*Interruptions*)...

SHRI V. NARAYANASAMY: You kindly take your seat. You don't know anything. The issue relates to the people of Tamil Nadu. You don't know our concern about the militant activities in Tamil Nadu. We are living in a state of fear in Tamil Nadu. I am very sorry that you don't know anything. Please take your seat... (*Interruptions*)... Madam Deputy Chairman, I would like to know whether the Central Government would order an enquiry into the seven jail-breaks that have taken place in Tamil Nadu, including the Madras jail-break, for the purpose of knowing the nexus... (*Interruptions*)...

श्री सुरेश पचौरी (महाराष्ट्र) : इन्होंने बहुत गम्भीर बात उठाई है। इस मद्रास जेल के जो अधिकारी हैं वे लिट्टे के अभियुक्तों के साथ किस तरह का व्यवहार कर रहे हैं इसकी इंक्वायरी करानी चाहिए। (**व्यवधान**)

THE DEPUTY CHAIRMAN: Enough. Mr. Pachouri, Please take your seat. Please... (*Interruptions*)... No. One secand... (*Interruptions*)... If I keep on permitting association of the Members on the floor, then what is the use of people going to the Chairman and getting his permission? What right do I have to put people eairlier than those who are permitted by the Chairman? It is not fair. Now, Mr. Ajit P. K. Jogi.

SHRI GURUDAS DAS GUPTA: Madam, let there be no break in the House. (*Interruptions*)...t

THE DEPUTY CHAIRMAN: Mr. Som Pal, please sit down. Your name will also come. You are at the seventh place. Let me be able to reach you. I am protecting everybody. Mr. Jogi, your name is there on some subject. Please speak on your subject. I think you would like to speak on the murder of a nun. Please speak about that.

RE. MURDER OF A CATHOLIC NUN IN DEWAS INDORE, MADHYA PRADESH

SHRI AJIT P. K. JOGI (Madhya Pradesh): Madam, I rise to raise the issue of a gruesome, ghastly and dastardly murder of an innocent trail nun, Sister Rani Maria on the 25th February, 1995 on the border of Indore and Dewas districts.

This was a murder most foul. Since most of the Members of this august House have read about it in the newspapers, I would only like to give the other details which have not appeared in the newspapers.

I come from that district. I knew this Sister and her commendable work among the tribals of that area. That is why I would like to say that she had worked relentlessly and ceaselessly for the welfare and uplift of the tribas of that area.

On that fateful day, she was returning to Kerala from where she came on a month's leave. She had told the tribals of that area that she would not be available for one month. So, her programme was known to everybody including, the murderers who belong to vested interests, the lobby of moneylenders, the lobby of fascist forces and the lobby of communal forces. She was to board a bus which was to go through a route which does not pass through the forest. But on that day, a conspiracy was hatched and the regular bus was cancelled. She had to go by another bus which passed through the forest between Indore and Dewas districts. As the bus was passing through that forest area, the *Up-Sarpanch* of Udai Nagar, the Shri Jiwan Singh, who was...

उपसभापति : जरा बोलने की गति तेज कर दीजिए ताकि जल्दी से बात हो सके।